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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA *EX REL.*
JAMES A. STOLTZ,

Plaintiff,

v.

ABSARAKA COOP. TEL. CO., *ET AL.*,

Defendants.

Civil Action No. 08-2588 KM-MAH

UNITED STATES' CONSENT TO DISMISSAL OF RELATOR'S COMPLAINT

The United States has received notice of the Order to Show Cause issued by the Court on August 24, 2015, regarding the potential dismissal of this qui tam action based on Relator's apparent failure to serve the Complaint on the defendants. As the Court is aware, the United States declined to intervene in this qui tam action on or about January 2014. [ECF No. 13] Pursuant to 31 U.S.C. § 3730(b)(1), dismissal of a qui tam action under the False Claims Act requires the consent of the Court and the United States. To the extent Relator does not respond to the Court's Order to Show Cause (or does respond but indicates his desire to

dismiss the Complaint), the United States hereby consents to the dismissal of this action provided the dismissal is without prejudice to the United States.

Respectfully submitted,

PAUL J. FISHMAN
United States Attorney

By: *s/ Anthony J. LaBruna*
ANTHONY J. LABRUNA
Assistant U.S. Attorney